

**UNITED STATES OF AMERICA**

223606

**BEFORE THE SURFACE TRANSPORTATION BOARD****AB - 33 (Sub - No. 230-X)****UNION PACIFIC RAILROAD COMPANY  
ABANDONMENT EXEMPTION  
IN LASSEN COUNTY, CALIFORNIA AND  
IN WASHOE COUNTY, NEVADA****ROBERT ALAN KEMP,  
D/B/A: NEVADA CENTRAL RAILROAD, (NCR)****[OFFER OF FINANCIAL ASSISTANCE, (PURCHASE)]**SURFACE  
TRANSPORTATION BOARD

SEP 15 2008

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SEP 16 2008  
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Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD Hereafter ("Kemp" or "Petitioner"), files the instant OFFER OF FINANCIAL ASSISTANCE ("OFA"), pursuant to 49 CFR 1152.27(c)(2), to purchase a portion of the Appx 22-Mile Track System which is the subject of this proceeding

1. Petitioner Kemp as a result of damages experienced by Kemp, relating to the continuing actions by the Union Pacific Railroad Company by and along with STB Staff through the execution of the following act's, including but not limited to act's of Fraud, Conspiracy, and Industrial Economic Espionage, is only capable of acquiring a portion of the Appx: 22+Mile Track System in Washoe County Nevada, and Lassen County California. Therefore Kemp hereby proffers his offer to purchase Appx 220-Feet of the track System, along with any relevant Privately Owned Right of Way presently owned by the Union Pacific railroad Company for an Approximate Price of (Five Thousand Seven Hundred Dollars and Thirteen Cents), \$ 5,750.13 This offer is based on the Deliberate Inflated Price provided by Union Pacific Railroad Company for the Track System, and the Petitioner hereby reserves any and all rights to the recovery from Union Pacific Railroad for the loss of the Remaining Balance of the Entire Track System, including Financial Damages relating to the Acquisition by Petitioner of the portion of Track now being acquired through this OFA Process. The 220-Foot Section of Track being acquired by Petitioner along with the Right of Way for same, starts at MP-338.33, and continues North/East for a Length of: 220-Feet The 220-Foot Track acquired by Petitioner will enable Petitioner to stage the Delivery of Necessary Fuel to supply Petitioners Mainline Railroad Power Generating Facility, supporting Petitioners Initial Operation of the 220-Foot Electrified Rail Line as a Class-III Carrier under a Certificate of Public Convenience and Necessity.

- 2 Petitioners OFA meets Board Financial Requirements for Financial Capacity, as funds for Petitioner for the execution of the instant OFA, are being Independently Guaranteed by the BANKS FAMILY TRUST located in the State of Pennsylvania. A statement by the BANKS FAMILY TRUST confirming Financial Capacity and Guarantees to Petitioner is being Independently submitted to the Board VIA FAX and Original by USPS, in the form of a Notice within the instant proceeding.

Respectfully,



Robert Alan Kemp, D/B/A  
NEVADA CENTRAL RAILROAD  
775-287-3681 OR atlnv13@aol.com

### CERTIFICATE OF SERVICE

I, Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD certify that on this 15<sup>th</sup> day of September, 2008, that I made service of the attached original NCR [Offer of Financial Assistance] in AB - 33 (Sub - No. 230X) upon the Surface Transportation Board, by US mail, and mailed a Single Copy of same to all Parties, Agencies, and Individuals, listed for Service within the Abandonment: AB - 33 ( Sub 230-X), by depositing same into the United States First Class Mail with prepaid postage, and also Directly to the STB via IMMEDIATE FAX DELIVERY FILING to: (202) 245-0458 / 0461 / 0464 / 0465.



Robert Alan Kemp, D/B/A  
NEVADA CENTRAL RAILROAD  
775-287-3681 OR atlnv13@aol.com

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**Robert Alan Kemp, D/B/A: NEVADA CENTRAL RAILROAD****Administrative Offices: Tempe, Arizona****Physical Operations: Tonopah Airport, Tonopah, Nevada****Aviation Technologies Ltd., "ATL" PRINCIPAL PLACE OF BUSINESS: TONOPAH AIRPORT, NYE COUNTY, NEVADA**

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**Robert Alan Kemp****[ D/B/A: ]****NEVADA CENTRAL RAILROAD /****VIA - USPS and IMMEDIATE OFFICIAL FAX FILING****(Monday), September 15<sup>th</sup>, 2008****The Honorable Charles D Nottingham, Chairman - STB****The Honorable Ann K. Quinlan, Acting Secretary****Office of the Chairman and Secretary****Surface Transportation Board****395 - E Street, SW.****Washington, DC 20423-0001 By Emergency Fax Filing: (202) 245-0458, (202) 245-0461/64/65****RE: Docket No. AB-33 (SUB-No. 230X)  
(Union Pacific Railroad Company)****[Robert Alan Kemp's/NCR's:  
OFFER OF FINANCIAL ASSISTANCE, (PURCHASE)]****Concerning: Union Pacific Railroad Company  
- Abandonment Exemption -****Dear Chairman Nottingham, Secretary Quinlan:**

Please find the following OFFER OF FINANCIAL ASSISTANCE in the above referenced abandonment proceeding. Should you have any questions or comments. Payment of the Fee required for the provision of the enclosed OFA will be immediately transferred to your office at the STB in Washington as soon as the required Wire Transfer Information is received by the Petitioner from STB Staff. Please feel free to contact me personally 24-7 at the following telephone number and or email address if you have any questions.

**Sincerely,****Robert Alan Kemp,****D/B/A. NEVADA CENTRAL RAILROAD****Tempe, Arizona****(775) 287-3681****atlrv13@aol.com**